

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WILLIAM DOUGLAS,

Petitioner,

vs.

CIVIL ACTION NO. 06-CV-13200
HONORABLE GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

KENNETH McKEE,

Respondent,

_____ /

**ORDER REQUIRING RESPONDENT TO FILE AN ANSWER WITHIN THIRTY DAYS
OF THE COURT'S ORDER**

Petitioner filed an Application for a Writ of Habeas Corpus with this Court pursuant to 28 U.S.C. § 2254. On July 25, 2006, the Court ordered Respondent to file a responsive pleading by January 22, 2007. On January 23, 2007, the Court granted respondent's motion for enlargement of response time, giving respondent thirty days from receipt of petitioner's counsel's amended brief to file a response. On March 5, 2007, petitioner's counsel filed a supplemental brief in support of the petition for writ of habeas corpus. On May 23, 2007, respondent filed the Rule 5 materials with this Court. However, to date, respondent has neither filed an answer to the petition for writ of habeas corpus, nor have they filed a motion for an additional enlargement of time.

A habeas corpus petitioner who challenges the legality of his state custody is entitled to reasonably prompt disposition of his petition. *Ukawabutu v. Morton*, 997 F. Supp. 605, 610 (D.N.J. 1998). This Court has the discretion under the rules governing

responses in habeas corpus cases to set a deadline for a response to petitioner's habeas petition. *Erwin v. Elo*, 130 F. Supp. 2d 887, 891 (E.D. Mich. 2001). 28 U.S.C. § 2243. In light of the amount of time that has passed in this case without an answer, the Court orders respondent to file an answer to the petition for writ of habeas corpus within thirty days of this order.

Based upon the foregoing, the court orders respondent to file an answer within **thirty (30) days** of the date of this order or show cause why they are unable to comply with the order.

Dated: June 21, 2007

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 21, 2007, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk